

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

HEATHER G. DECKARD,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:20-cv-00074-SEB-DML
	)	
ANDREW M. SAUL,	)	
	)	
Defendant.	)	

Report and Recommendation to  
Dismiss Complaint without Prejudice

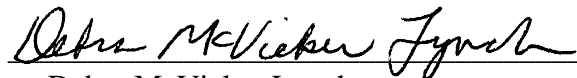
On March 25, 2020, plaintiff Heather G. Deckard. filed a complaint (Dkt. 1), but she did not pay a filing fee, nor did she file a Motion to Proceed *In Forma Pauperis*. On May 11, 2020, the court instructed Ms. Deckard to either pay the \$400.00 filing fee for this action or file a completed Motion to Proceed *In Forma Pauperis* by June 15, 2020 (Dkt. 7). The court provided Ms. Deckard with the relevant form to file and advised her that failure to comply "will result in the case being dismissed without prejudice." The June 15, 2020 deadline passed and Ms. Deckard did not the filing fee or submit a Motion to Proceed *In Forma Pauperis*.

On June 24, 2020, the court issued an order to show cause (Dkt. 13). Ms. Deckard was ordered to show cause, in a writing filed with the court no later than July 10, 2020, why this case should not be dismissed without prejudice for her failure to comply with court orders. As of the date of this order, Ms. Deckard has not filed a response to the order to show cause, nor has she requested an extension of time to do so.

Because of Ms. Deckard's failure to comply with the court's order and her failure to prosecute her claims, the Magistrate Judge recommends to the District Judge that the complaint be DISMISSED WITHOUT PREJUDICE. Any objections to the Magistrate Judge's Report and Recommendation must be filed in accordance with 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). Failure to file objections within fourteen days after service will constitute a waiver of subsequent review absent a showing of good cause for such failure.

IT IS SO RECOMMENDED.

Date: 7/14/2020

A handwritten signature in black ink, reading "Debra McVicker Lynch", written over a horizontal line.

Debra McVicker Lynch  
United States Magistrate Judge  
Southern District of Indiana

Distribution:

All ECF-registered counsel of record via email

HEATHER G. DECKARD  
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Orleans, IN 47452